



BOX AFO 450-217
145-219

1804
AF

Attorney's Dock t No. 43471

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Wayne A. Marasco, et al.

Serial No.: 0 8 /199,070 Group No.: 1804
Filed: 2/22/94 Examiner: B. Campbell
For: Nucleic Acid Delivery Ssytem, Method of Synthesis and Uses Thereof.

#12
B.8J
10/1/96

Assistant Commissioner for Patents
Washington, D.C. 20231

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Applicant hereby appeals to the Board from the decision of the Primary Examiner,
mailed 3/19/96, finally rejecting claims 1, 3-16.

The item(s) checked below are appropriate:

1. STATUS OF APPLICANT

This application is on behalf of

☐ other than a small entity.

☒ a small entity.

A verified statement

☐ is attached.

☐ was already filed on 5/19/94.

RECEIVED

OCT 1 1996

GROUP 1800

2. FEE FOR FILING NOTICE OF APPEAL

Pursuant to 37 CFR 1.17(e), the fee for filing the Notice of Appeal is:

☒ small entity \$145.00

☐ other than a small entity \$290.00

Notice of Appeal fee due \$ 145.00

CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8a)

I hereby certify that this correspondence is, on the date shown below, being:

MAILING

FACSIMILE

☒ deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

☐ transmitted by facsimile to the Patent and Trademark Office.

Signature

Lori E. Goudey

(type or print name of person certifying)

Date: 9/19/96

(Notice of Appeal from the Primary Examiner to Board 19-6) — page 1 of 3

1 217 450.00 CK
1 219 145.00 CK

3. EXTENSION OF TERM

NOTE: The time periods set forth in 37 CFR 1.191 are subject to the provision of § 1.136 for patent applications. 37 CFR 1.191(d). (But see 37 CFR 1.645 for extension of time in interference proceedings and 37 CFR 1.550(c) for extension of time in reexamination proceedings).

(complete (a) or (b), as applicable)

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply.

- (a) ☐ Applicant petitions for an extension of time under 37 CFR 1.136 (fees: 37 CFR 1.17(a)-(d)) for the total number of months checked below:

Extension (months)	Fee for other than small entity	Fee for small entity
<input type="checkbox"/> one month	\$110.00	\$55.00
<input type="checkbox"/> two months	\$380.00	\$190.00
<input checked="" type="checkbox"/> three months	\$900.00	\$450.00
<input type="checkbox"/> four months	\$1,400.00	\$700.00

Fee \$ 450.00

If an additional extension of time is required, please consider this a petition therefor.

(check and complete the next item, if applicable)

- ☐ An extension for _____ months has already been secured. The fee paid therefor of \$_____ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$_____

or

- (b) ☐ Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

4. TOTAL FEE DUE

The total fee due is:

Notice of Appeal fee \$ 145.00
Extension fee (if any) \$ 450.00

TOTAL FEE DUE \$ 595.00

5. FEE PAYMENT

☒ Attached is a check in the sum of \$ 595.00.

☐ Charge Account No. _____ the sum of \$ _____.

A duplicate of this transmittal is attached.

6. FEE DEFICIENCY

NOTE: If there is a fee deficiency and there is no authorization to charge an account, additional fees are necessary to cover the additional time consumed in making up the original deficiency. If the maximum, six-month period has expired before the deficiency is noted and corrected, the application is held abandoned. In those instances where authorization to charge is included, processing delays are encountered in returning the papers to the PTO Finance Branch in order to apply these charges prior to action on the cases. Authorization to charge the deposit account for any fee deficiency should be checked. See the Notice of April 7, 1986, 1065 O.G. 31-33.

- ☒ If any additional extension and/or fee is required,
charge Account No. 04/1105.

AND/OR

- ☒ If any additional fee for claims is required,
charge Account No. 04/1105.


SIGNATURE OF ATTORNEY

Reg. No.: 30,628

Ronald I. Eisenstein

(type or print name of attorney)

DIKE, BRONSTEIN, ROBERTS & CUSHMAN, LLP

130 Water Street

P.O. Address

Boston, MA 02109

Tel. No.: (617) 523-3400